

KASOWITZ BENSON TORRES LLP

THOMAS KELLY  
DIRECT DIAL: (212) 506-1872  
DIRECT FAX: (212) 835-5292  
TKELLY@KASOWITZ.COM

1633 BROADWAY  
NEW YORK, NEW YORK 10019  
(212) 506-1700  
FAX: (212) 506-1800

ATLANTA  
HOUSTON  
LOS ANGELES  
MIAMI  
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January 08, 2019

**BY ECF**

Honorable James L. Cott  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 21-D  
New York, NY 10007

Re: *King, et al. v. Wang et al.*, Case No. 1:14-cv-07694-JFK-JLC

Dear Magistrate Judge Cott:

We write on behalf of Defendants regarding Your Honor's order dated December 19, 2018 (the "December 19 Order") and Plaintiff's Yien-Koo King's failure to comply with her discovery obligations. We regret seeking the Court's intervention to resolve the discovery issues set forth below, but believe it is necessary to keep discovery in this case moving.

At the December 19, 2018 discovery conference, we informed Your Honor that Plaintiff's responses and objections to Defendant Andrew Wang's First Set of Document Requests and First and Second Set(s) of Interrogatories were due on December 18, 2018, and that Plaintiff had not complied with that deadline. In the December 19, 2018 order, Your Honor directed Plaintiff to produce documents responsive to Defendants' document demands by early the following week, *i.e.*, the week of December 24, 2018: "By **early next week**, plaintiffs shall produce documents responsive to defendants' document demands." *See* Dkt. No. 140, pt. 3 (emphasis original). Despite Your Honor's directive, Plaintiff has not produced a single document. Nor has Plaintiff served any response to either set of Defendants' interrogatories. As for Plaintiff's responses and objections to the document requests, they were served many days late, on December 31, 2018.

On January 2, 2019, we emailed Plaintiff's counsel to request that Plaintiff comply, albeit belatedly, with the December 19 Order regarding Plaintiff's document production and the interrogatory response deadline. We specifically requested that Plaintiff produce responsive documents by the close of business on January 4, 2019. In response, Mr. Israel denied that Your

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Honor ordered a specific production date, ignored Defendants' request for interrogatory responses, stated a production would be made "prior to the next hearing," asserted that the parties "really should focus on [Defendants'] defects before getting to any complaints [Defendants] have as to [Plaintiff's]" discovery lapses, and advised that Plaintiff would soon be filing a motion to dismiss Andrew Wang's and Shou-Kung Wang's complaint in the *Wang v. King* action.

Plaintiff's disregard for the Court's December 19 Order and the applicable discovery deadlines is undermining Defendants' ability to prepare their defense and pursue their claims. Three weeks have passed since the December 19 conference, and Defendants have received zero discovery from Plaintiff. All fact discovery, including depositions, in this action must be completed by May 8, 2019, which is also the deadline for all document discovery in the *Wang v. King* action. Given these deadlines, it is imperative that the parties comply with their discovery obligations in a timely manner. Further, in order for us to prepare for the January 18, 2019 conference, and to provide letters to the Court addressing any discovery disputes by January 15, 2019, we need sufficient time to review Plaintiff's document production and responses and objections to the interrogatories.

We therefore respectfully request that Your Honor order Plaintiff to produce documents responsive to Defendants' discovery demands and respond to Defendants' interrogatories by the close of business on Friday, January 11, 2019.

Respectfully submitted,

/s/ *Thomas Kelly*  
Thomas Kelly

cc: All counsel of record (by ECF)